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10/16/2006 11:12 AM \$16.00  
Book - 9365 Pg - 7625-7628  
GARY W. OTT  
RECORDER, SALT LAKE COUNTY, UTAH  
LANDMARK TITLE  
BY: KAM, DEPUTY - WI 4 P.

**RECORDING REQUESTED BY  
AND WHEN RECORDED MAIL TO:**

Wells Fargo Bank, National  
Association  
Real Estate Group (AU #07572)  
1512 Eureka Road, Suite 350  
Roseville, CA 95661

Attn: Denise Latta  
Loan No. 101642

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**SECOND ADDITIONAL ADVANCE AND CONSOLIDATION AGREEMENT  
(Short Form)**

The undersigned agree that that certain promissory note ("Note") dated June 6, 2005, in the original principal amount of Six Million Five Hundred Thousand and 00/100ths Dollars (\$6,500,000.00) executed by Gateway Associates, Ltd., a Utah limited partnership, as "Borrower" secured by deed of trust ("Deed of Trust") executed by Borrower as "Trustor", recorded June 23, 2005, as Instrument No. 9413044, in Book 9149, at Page 2756, in the Official Records in the Office of the County Recorder of Salt Lake County, Utah, and other "Loan Documents", as defined in the Second Additional Advance and Consolidation Agreement between the undersigned of even date herewith, have been amended upon the terms and conditions set forth in said Second Additional Advance and Consolidation Agreement to provide, among other things, that the Deed of Trust and other Loan Documents which are security instruments shall also secure: (a) the payment to Lender of all indebtedness and other obligations evidenced by and arising under that certain promissory note (the "Additional Advance Note") of even date herewith, executed by Borrower to the order of Lender in the original principal amount of One Million Two Hundred Thousand and 00/100ths Dollars (\$1,200,000.00) together with interest and other finance charges thereon and any and all amendments, modifications, extensions and renewals thereof (including, without limitation (i) modifications of the required principal payment dates or interest payment dates or both, as the case may be, deferring or accelerating said payment dates in whole or in part or (ii) modifications, amendments, extensions or renewals at a different rate of interest), whether or not any such modification, amendment, extension or renewal is evidenced by a new or additional promissory note or notes; and (b) the performance of all of Borrower's obligations under the Second Additional Advance and Consolidation Agreement as amended or modified from time to time in writing. Said Second Additional Advance and Consolidation Agreement is by this reference incorporated herein

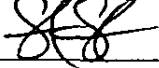
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and made a part hereof. The "Aggregate Loan", as defined in the Second Additional Advance and Consolidation Agreement, which is secured by the Deed of Trust is Nineteen Million Six Hundred Thousand and 00/100ths Dollars (\$19,600,000.00).

Dated as of: October 5, 2006

"BENEFICIARY/LENDER"

Wells Fargo Bank, National Association

By:   
Steve Strong, Assistant Vice President

"BORROWER/TRUSTOR"

Gateway Associates, Ltd., a Utah limited partnership

By: Boyer Gateway, L.C., a Utah limited liability company,  
General Partner

By: The Boyer Company, L.C., a Utah limited liability  
company, Member

By:   
H. Roger Boyer, Manager and Member

(ALL SIGNATURES MUST BE ACKNOWLEDGED)

**DESCRIPTION OF SUBJECT PROPERTY**

Exhibit A to the Second Additional Advance and Consolidation Agreement dated as of October 5, 2006, by and between Gateway Associates, Ltd., a Utah limited partnership ("Borrower") and Wells Fargo Bank, National Association ("Beneficiary").

All the certain real property located in the County of Salt Lake, State of Utah, described as follows:

Lot 6, **BOYER GATEWAY**, according to the Subdivision Plat thereof, filed on February 26, 2001 as Entry No. 7828967, in Book "2001P" of Plats at Page 37 of the Official Records of the Salt Lake County Recorder.

**EXCEPTING THEREFROM:**

(a) The minerals and mineral rights conveyed to UNION PACIFIC LAND RESOURCES CORPORATION in that certain Mineral Deed dated as of April 1, 1971, the existence of which Mineral Deed and mineral rights is disclosed by that certain Donative Quitclaim Deed recorded July 25, 1991 as Entry No. 5101661, in Book 6339 at Pages 2004-2007, inclusive, of the Official Records of the Salt Lake County Recorder.

(b) The minerals and mineral rights reserved by UNION PACIFIC RAILROAD COMPANY, a Delaware corporation, in that certain Special Warranty Deed recorded December 24, 1998 as Entry No. 7202238, in Book 8208, at Page 2578 of the Official Records of the Salt Lake County Recorder, wherein GATEWAY ASSOCIATES, LTD., a Utah limited partnership, is the Grantee.

APN: 08-36-376-013

STATE OF UTAH

COUNTY OF Salt Lake

SS.

The foregoing instrument was acknowledged before me this 14<sup>th</sup> day of October, 2000, by Shel Strong as Vice President of Wells Fargo Bank, a



Tiffany Sue Nelson  
NOTARY PUBLIC  
residing at Salt Lake City

My commission expires: 3-10-09

STATE OF UTAH

COUNTY OF Salt Lake

SS.

The foregoing instrument was acknowledged before me this 10<sup>th</sup> day of October, 2000, by H. Roger Baker and Members as Manager of The Baker Company, L.C., a Utah limited liability company.



Rachael N. Niusulu  
NOTARY PUBLIC  
residing at Salt Lake City

My commission expires: 8-20-07